

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Shawn W Deffner
Debtor(s)

Bankruptcy Case No.: 19-22776-GLT
Issued Per 1/30/2020 Proceeding
Chapter: 13
Docket No.: 38 - 19
Concil. Conf.: January 30, 2020 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 23, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jan. 30, 2020 at 01:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 9 of IRS, Claim No. 18 of Swissvale Boro replacing plan provision .
- ☒ H. Additional Terms: Counsel Fees are based on a retainer of \$700.00

The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms; at Payment computed by Trustee: Claim No. 1 of Nissan and Claim No. 16 of US Bank.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

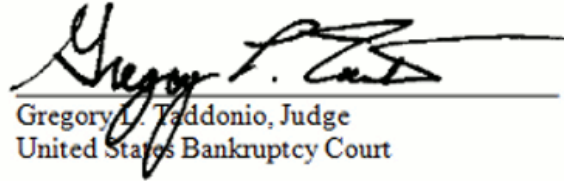
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: February 3, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Shawn W Deffner
 Debtor

Case No. 19-22776-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 49

Date Rcvd: Feb 03, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 05, 2020.

db +Shawn W Deffner, 2316 Columbia Ave., Pittsburgh, PA 15218-1912
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 15086073 +Aes/pheaa, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
 15110617 +American Express, P.O. Box 650448, Dallas, TX 75265-0448
 15103356 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15086074 +Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
 15086075 +Bank Of America, 4909 Savarese Circle, Fl1-908-01-50, Tampa, FL 33634-2413
 15086076 +Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801
 15110622 +Borough of Swissvale, c/o Litigation Dept., 546 Wendel Road, Irwin, PA 15642-7539
 15147782 +Borough of Swissvale, c/o Keystone Collections Group, 546 Wendel Road,
 Irwin, PA 15642-7539
 15086078 +Citibank, Attn: Recovery/Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
 15125381 Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
 15086079 +Citibank/Best Buy, Attn: Bankruptcy, Po Box 790441, St. Louis, MO 63179-0441
 15110628 +Cross River Bank, 885 Teaneck Road, Teaneck, NJ 07666-4505
 15190764 ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
 15086081 +Finance of America Mortgage, 300 Welsh Road, Building 5, Horsham, PA 19044-2250
 15086082 +First PREMIER Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
 15110632 +James & Barbara Wally, Magisterial Judge James A. Motznik, 736 Brookline Blvd.,
 Pittsburgh, PA 15226-2178
 15086083 Key Bank, Attn: Bankruptcy Dept., Oh-01-51-06224910 Tiedeman Rd., Brooklyn, OH 44144
 15110634 +Lending Club, 595 Market Street #200, San Francisco, CA 94105-2807
 15086085 +Mariner Finance, Attn: Bankruptcy Department, 8211 Town Center Dr.,
 Baltimore, MD 21236-5904
 15110638 +Metro Family Practice, 1789 S Braddock Ave., Ste. 410, Pittsburgh, PA 15218-1881
 15086087 +Mr. Cooper, Attn: Bankruptcy, Po Box 619098, Dallas, TX 75261-9098
 15086088 +Nissan Motor Acceptanc, Po Box 660360, Dallas, TX 75266-0360
 15088436 Nissan Motor Acceptance, POB 660366, Dallas, TX 75266-0366
 15099505 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 15110642 Quest Diagnostics venture LLC, PO BOX 740717, Cincinnati, OH 45274-0717
 15086090 +RoundPoint Mortgage Servicing Corporatio, Attn: Bankruptcy, Po Box 19409,
 Charlotte, NC 28219-9409
 15118789 +RoundPoint Mortgage Servicing Corporation, 5016 Parkway Plaza Blvd., Building 6&8,
 Charlotte, NC 28217-1932
 15086091 +Shellpoint Mortgage Servicing, Attn: Bankruptcy, Po Box 10826, Greenville, SC 29603-0826
 15086092 +Statebridge Company Ll, 5680 Greenwood Plaza Blvd, Greenwood Village, CO 80111-2414
 15110646 +Sto Rox Neighborhood Health Council, Hilltop Community Helathcare Center, 710 Thompson Ave.,
 Mc Kees Rocks, PA 15136-3808
 15086093 +Tribute Card, Cardholder Services, Po Box 105555, Atlanta, GA 30348-5555
 15124156 +U.S. Bank Trust National Association et al, c/o NewRez LLC d/b/a Shellpoint Mortgage,
 P.O. Box 10826, Greenville, SC 29603-0826
 15086094 +Upstart, Attn: Bankruptcy, Po Box 1503, San Carlos, CA 94070-7503
 15147814 +Woodland Hills School District, c/o Keystone Collections Group, 546 Wendel Road,
 Irwin, PA 15642-7539

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

15110619 +E-mail/Text: legal@arsnational.com Feb 04 2020 03:56:52 ARS National Services, Inc.,
 PO Box 469046, Escondido, CA 92046-9046
 15086077 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 04 2020 03:53:31 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15103089 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 04 2020 03:52:46
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15110626 +E-mail/Text: bankruptcy_notifications@ccsusa.com Feb 04 2020 03:57:51
 Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679
 15086080 +E-mail/PDF: creditonebknofications@resurgent.com Feb 04 2020 03:52:51 Credit One Bank,
 Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
 15122857 +E-mail/Text: kburkley@bernsteinlaw.com Feb 04 2020 03:57:47 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15110629 E-mail/Text: cio.bncmail@irs.gov Feb 04 2020 03:56:49 Department of the Treasury,
 Internal Revenue Service, 310 Lowell St, Stop 360, Andover, MA 01810-9041
 15092987 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Feb 04 2020 03:57:30 KeyBank, N.A.,
 4910 Tiedeman Rd., Brooklyn, OH 44144-2338
 15089209 E-mail/PDF: resurgentbknofications@resurgent.com Feb 04 2020 03:54:23 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15086084 +E-mail/Text: bk@lendingclub.com Feb 04 2020 03:57:40 LendingClub, Attn: Bankruptcy,
 71 Stevenson St, Ste 1000, San Francisco, CA 94105-2967
 15086086 +E-mail/PDF: MerrickBKNofications@Resurgent.com Feb 04 2020 03:54:18
 Merrick Bank/CardWorks, Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
 15118777 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Feb 04 2020 03:53:40 Verizon,
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 49

Date Rcvd: Feb 03, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15110649 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Feb 04 2020 03:56:35
Verizon, Verizon Wireless Bankruptcy Administrati, 500 Tecnolgy Dr Ste 500,
Weldon Springs, MO 63304-2225

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr ROUNDPOINT MORTGAGE SERVICING CORPORATION
15086089 Plains Commerce Bank
15110641 Plains Commerce Bank
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
15110616* +Aes/pheaa, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15110618* +Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15110620* +Bank Of America, 4909 Savarese Circle, Fl1-908-01-50, Tampa, FL 33634-2413
15110621* +Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801
15110623* +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15110624* +Citibank, Attn: Recovery/Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
15110625* +Citibank/Best Buy, Attn: Bankruptcy, Po Box 790441, St. Louis, MO 63179-0441
15110627* +Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15110630* +Finance of America Mortgage, 300 Welsh Road, Building 5, Horsham, PA 19044-2250
15110631* +First PREMIER Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
15110633* Key Bank, Attn: Bankruptcy Dept., Oh-01-51-06224910 Tiedeman Rd., Brooklyn, OH 44144
15110635* +LendingClub, Attn: Bankruptcy, 71 Stevenson St, Ste 1000, San Francisco, CA 94105-2967
15110636* +Mariner Finance, Attn: Bankruptcy Department, 8211 Town Center Dr.,
Baltimore, MD 21236-5904
15110637* +Merrick Bank/CardWorks, Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
15110639* +Mr. Cooper, Attn: Bankruptcy, Po Box 619098, Dallas, TX 75261-9098
15110640* +Nissan Motor Acceptanc, Po Box 660360, Dallas, TX 75266-0360
15110643* +RoundPoint Mortgage Servicing Corporatio, Attn: Bankruptcy, Po Box 19409,
Charlotte, NC 28219-9409
15110644* +Shellpoint Mortgage Servicing, Attn: Bankruptcy, Po Box 10826, Greenville, SC 29603-0826
15110645* +Statebridge Company LI, 5680 Greenwood Plaza Blvd, Greenwood Village, CO 80111-2414
15110647* +Tribute Card, Cardholder Services, Po Box 105555, Atlanta, GA 30348-5555
15110648* +Upstart, Attn: Bankruptcy, Po Box 1503, San Carlos, CA 94070-7503

TOTALS: 3, * 23, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 05, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 3, 2020 at the address(es) listed below:

Albert G. Reese, Jr. on behalf of Debtor Shawn W Deffner areese8897@aol.com,
agreese8897@gmail.com;r41196@notify.bestcase.com;agrlaw8897@gmail.com
James Warmbrodt on behalf of Creditor ROUNDPOINT MORTGAGE SERVICING CORPORATION
bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 6